

**Frost  
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ATTORNEYS

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**RECEIVED**

MAY 18 2004

**PUBLIC SERVICE  
COMMISSION**

May 17, 2004

Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

Attn: Ms. Charla Masters

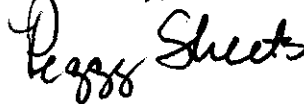
Re: Petition of NPCR, Inc. d/b/a Nextel Partners  
Case No. 2003-00143

Dear Ms. Masters:

Per our conversation earlier today, please find enclosed an original and ten (10) copies of a page erroneously omitted from our filing on Friday, May 14, 2004. The enclosed page should be inserted as page 1 of the Peabody testimony.

I apologize for this inconvenience. Should you have any questions or require any further information, please do not hesitate to contact this office.

Yours truly,



Peggy Sheets  
Secretary to Keith Moorman

Enclosures

cc: James Dean Liebman  
Joan Coleman  
Stephen R. Byars  
Lindsey W. Ingram, Jr.  
Philip R. Schenkenberg

MAY 13 2004

PUBLIC SERVICE  
COMMISSION

1 Q: PLEASE STATE YOUR NAME, PLACE OF EMPLOYMENT, POSITION AND BUSINESS  
2 ADDRESS.

3 A: My name is Scott Peabody. I am employed by Nextel Partners, Inc. as a Director in its  
4 Engineering Department. My business address is 4500 Carillon Point, Kirkland, WA  
5 98033.

6 Q: ARE YOU THE SAME SCOTT PEABODY WHO CAUSED DIRECT TESTIMONY TO BE FILED ON  
7 APRIL 29, 2004?

8 A: Yes I am.

9 Q: WHAT ARE THE PURPOSES OF THIS REBUTTAL TESTIMONY?

10 A: I wish to respond to certain testimony sponsored by Steven Watkins on behalf of the four  
11 rural telephone companies affected by this Application.

12 Q: DOES MR. WATKINS AGREE THAT NEXTEL PARTNERS PROVIDES THE FCC'S LIST OF  
13 SUPPORTED SERVICES IN KENTUCKY?

14 A: I believe so. Services that he does discuss are not services that are supported by federal  
15 universal service mechanisms – unlimited local usage and toll presubscription. Watkins,  
16 p. 10, l. 37. I think, then, that he recognizes that a wireless carrier like Nextel Partners  
17 can provide the FCC's supported services.

18 Q: IN WHAT CONTEXT DOES MR. WATKINS DISCUSS UNLIMITED LOCAL USAGE?

19 A: Mr. Watkins suggests Nextel Partners' service is somehow deficient because all but one  
20 of Nextel Partners' service offerings are measured use offerings and do not provide for  
21 unlimited local use. Watkins, pp. 10-11.

22 Q: IS THIS RELEVANT TO THE ISSUES BEFORE THE COMMISSION?

23 No. The FCC has not supported unlimited local usage, and even reiterated this last  
24 summer, stating that "unlimited local usage should not be added to the list of supported  
25 services." *In the Matter of Federal-State Joint Board on Universal Service*, CC 96-45,  
26 FCC 03-170, Order and Order on Reconsideration, ¶ 14 (rel. July 14, 2003) ("July 2003